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August 3, 2018

*ADMITTED IN NY AND NJ
◊ADMITTED IN NY, NJ AND CT
ΔADMITTED IN NY
◊ADMITTED IN WV, MA

VIA CM/ECF

Honorable Steve Mannion, U.S.M.J.
United States District Court
District of New Jersey
Martin Luther King Blvd. and U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Flexi-Van v. W.P. Dolle Risk Management, LLC
Civil Action No.: 2:18-cv-01647-SDW-SCM
Our File No.: 103-85

Dear Judge Mannion:

This firm represents Flexi-Van Leasing, Inc.
("Plaintiff") in the above referenced matter.

On July 18, 2018, in accord with your Order of May 21, 2018, I provided Plaintiff's Affidavit of Merit prepared by Frank Seigel, CPCU. After submission, Defendant's counsel, Audrey Shields, made me aware that she had previously contacted Mr. Seigel to serve as an expert for Defendant. We agreed that Mr. Seigel is effectively conflicted out of this case to serve as an expert for either party. As such, it was agreed that Plaintiff would submit to the court another Affidavit of Merit which I provide herein. A copy of the Affidavit has been provided to defendant's counsel by CM/ECF and overnight mail.



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Honorable Steve Mannion, U.S.M.J.
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Should you have any questions, please do not hesitate
to contact the undersigned.

Thank you for your courtesies and considerations

Respectfully submitted,

FLICKER, GARELICK & ASSOCIATES, LLP

A handwritten signature in black ink, appearing to read 'Keith L. Flicker', written in a cursive style.

By: Keith L. Flicker

KLF:mjf
Enclosures

cc: VIA CM/ECF and
VIA FEDERAL EXPRESS

Audrey L. Shields, Esq.
Golden, Rothschild, Spagnola, Lundell, Boylan & Garubo P.C.
Attorneys for Defendant, W.P. Dolle, LLC
1011 Route 22 West, Suite 300
P.O. Box 6881
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Flexi-Van Leasing, Inc., Plaintiff, v. W. P. Dolle, LLC, Defendant.	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY Civil Action 2:18-cv-01647-SDW-SCM AFFIDAVIT OF MERIT pursuant to N.J.S.A. 2A:53A-27
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STATE OF NEW JERSEY)

S.S.:

COUNTY OF MORRIS)

Armando M. Castellini, being of full age, duly sworn hereby deposes and says:

1. I maintain offices at #78 Diamond Spring Road, Denville, New Jersey, and have been retained as an insurance expert by Plaintiff, Flexi-Van Leasing, Inc.
2. My Curriculum Vitae is attached hereto as Exhibit A and is made a part hereof.
3. I am presently licensed by the New Jersey Department of Banking & Insurance as a Property & Casualty and as a Life and Health Insurance Producer, and have been continuously so licensed since 1953.
4. I make this Affidavit based on my personal knowledge of the essential facts of this matter, based on my review of various documents provided to me, sufficient to permit me to state that there is a reasonable probability that the care, skill and/or knowledge exercised or exhibited by the Insurance Producer(s) and/or agents and brokers fell below and deviated from the acceptable professional industry standards and practices, and that a breach of duty occurred.

5. I have no financial interest of any kind in the outcome of this litigation, nor do I have any personal or business relationships with any of the parties.
6. This Affidavit of Merit is specifically directed to and pertains to the actions or lack of action on the part of the following insurance agency(ies) and/or insurance producer (s):

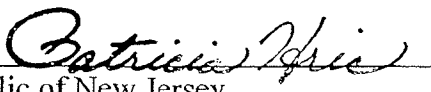
*W. P. Dolle, LLC, its owners, principals, licensed Insurance Producers,
and other employees

I hereby certify that the foregoing statements by me are true. I am aware that if the foregoing statements are willingly false I am subject to punishment.


ARMANDO M. CASTELLINI

Dated: August 3, 2018

Sworn and subscribed to before
me this 3rd day of AUGUST, 2018.



Notary Public of New Jersey
PATRICIA HRIC
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 7/19/2019

EXHIBIT A

CURRICULUM VITAE

ARMANDO M. CASTELLINI

March 2018

EDUCATION

- * Bachelor of Arts, Rutgers University, 1954
- * Bachelor of Laws/ Juris Doctor, Rutgers University, 1957

ASSOCIATION AND INDUSTRY EXPERIENCE

Active in national and state trade association affairs from 1963 through current date.

Served the Independent Insurance Agents of America in various capacities from 1969 to 1975, including:

- Special representative to the National Industry Committee on Automobile Insurance (assigned risk) Plans (NICAIP), and the Automobile Insurance Plans Service Office (AIPSO) 1969 - 1975; developed Reinsurance Facility mechanism
- Vice-Chairman, Casualty Insurance Committee 1972-1975
- Chairman, Casualty Insurance Committee 1974-1975
- Special representative to the National Association of Insurance Commissioners (NAIC) 1973-1975
- Liaison to the Federal Insurance Administration (FIA) on the development of national No-Fault insurance standards
- Liaison to the Conference of Insurance Legislators (COIL)
- Liaison to Federal Interdepartmental Task Force on Workers Compensation implementing a National Congressional Committee's report

While serving the Independent Insurance Agents of America, I authored research and position papers on the subjects of:

- No-Fault Automobile Insurance
- Residual market (assigned risk) automobile alternatives, authoring the definitive Reinsurance Facility proposal adopted and implemented in four states
- Medical Malpractice crisis alternative solutions
- Product Liability crisis alternative solutions

Also served as a member of the IIAA Technical Conference Committee as liaison to industry rating and technical bureaus, such as the Insurance Services Office (ISO), the Surety Association, the National Council on Compensation Insurance (NCCI), and others, from 1973 to 1975.

Served as executive committee member, various officer-ships, (1967-1975) and President of the Independent Insurance Agents of New Jersey in 1973-1974. While active with the IIAJ, I chaired most of its technical committees, including:

- Agency Management 1967-1972
- Agency-Company Operations Research and Development (ACORD) 1968-1972
- Technical representative to the Insurance Services Office and other rating and statistical bureaus 1969-1973
- Liaison to the Department of Insurance 1970-1975

Appointed to the New Jersey Automobile Reparations (No-Fault) Advisory Council, serving on its Guidelines and Public Relations Committees 1972-1973. Instrumental in the drafting, enactment and implementation of the New Jersey No-Fault Law.

Served as agent representative on the Governing Committee of the New Jersey Automobile Insurance (assigned risk) Plan by appointment of three successive Commissioners of Insurance 1969-1975.

Served as representative to the New Jersey Insurance Underwriting Association (FAIR Plan) 1969-1973.

Served as a Director of the Insurance Brokers Association of New Jersey and chairman of its Legislative Committee. Served as vice-president of that Association 1983 through 1985.

Appointed by the Commissioner of Insurance (1985) to the New Jersey Department of Insurance Task Force on Banking and Insurance.

Appointed by Commissioners of Insurance to serve on the New Jersey Department of Insurance Agent and Broker Peer Review Board, later renamed the Commissioner's Producer Advisory Committee. Served as member 1984 to March 1995, and a past chairman. Reappointed to the Committee November 1996. Elected as Chairman 1998-1999. The committee meets with the Commissioner and Department staff on a regularly scheduled basis to review and preview proposed regulations, current market problems, short and long range insurance matters and developments. Resigned from CPAC March 2005.

Founder and Past Director of the New Jersey Association of Insurance Licensing Schools, the purposes of which are to enhance communication and cooperation with the Department of Insurance, and to meet with and resolve insurance licensing problems.

Served (1989-1990) as a member of the N.J. Automobile Full Insurance Underwriting Association's Rules and Forms Committee.

EDUCATOR EXPERIENCE

From 1969 to about 1995, I designed, developed and presented insurance educational seminars in New Jersey (and throughout the United States in the 1980's and 1990's) to insurance industry personnel ranging from agents and brokers through insurance company Home Office executives. Subjects ranged from highly technical (Commercial Lines Manual, Insurance Policy Forms & Endorsements, Commercial Account Risk Analysis, etc.) to more general subjects (Agency/Company Automation, Internal Systems and Procedures, Agency Management, Surveying and Sales, etc.).

Served as Director of Education for the Independent Insurance Agents of New Jersey, on an independent contractor basis, from 1976 to 1978. Responsibilities involved design, development and presentation of education programs, and included drafting of uniform course outlines for instructor use in continuing education programs.

Founder and former Director of ARC School of Insurance, an insurance licensing school and continuing education program approved by the New Jersey Department of Insurance. State approved instructor of property-casualty-health licensing courses 1975 to about 1995; instructor of continuing education courses 1991 to about 1995..

Served as Adjunct faculty member of The College of Insurance in New York City, with lecture assignments to special groups ranging up to insurance company Home Office Executives.

Served a major Life/Property-Casualty insurance company as educational consultant and course instructor for their agent licensing program.

Recognized as a national expert on insurance products and policies, the technical aspects of insurance rating and manuals usage, and on insurance industry computerization and automation.

AGENCY EXPERIENCE

Various responsibilities ranging from office clerk to corporate president, from 1948 to 1995. Licensed in New Jersey, Pennsylvania and New York. Agency business has been the full spectrum of personal lines, commercial lines, specialty accounts, life, disability, and health.

Agency experience commenced in the urbanized environment of Hudson County, New Jersey, and ranges throughout the State of New Jersey and the United States.. The long and broad agency exposure and experience has afforded the opportunity of dealing with almost all classes of risks and all markets, for survey, analysis, underwriting, classification and rating, and placement. Ceased either complete or partial ownership of the agency in or about 1995, but continued to assist the agency personnel on technical, or surveys of exposures, and recommendations to clients until the end of 2007.

INSURANCE EXPERT EXPERIENCE

Serve as expert witness in insurance litigation of all types, with special emphasis on professional liability claims against insurance agents and brokers. Represent all interests in such litigation where a legitimate case exists. Receive frequent referrals from attorneys and agent Errors and Omissions insurance carriers, and other insurance companies. Commenced these activities in 1984. Served as expert in over almost 1,700 cases 1984 to present in +/-24 states. Engaged frequently for insurance policy archeology.

RESEARCH SURVEY EXPERIENCE

Designed and conducted approximately a half dozen surveys in the insurance-related area, involving insurance agency operations, company operations, and other subjects.

Author of several market research reports on insurance agency, company and industry computerization and automation use for Frost & Sullivan, Inc., of New York City.

Designed, conducted and analyzed several major insurance agency surveys as consultant to the Insurance Institute For Research (now part of ACORD).

Designed insurance agency surveys for use by State Insurance Agents' Associations.

CONSULTING EXPERIENCE

Consultant to the Insurance Institute For Research (now ACORD) from May 1978 to August 1979, an organization established by the insurance industry to provide broad-based assistance to the industry in the implementation, application, and interface of computer and telecommunications technologies. Served as contributing author to the **Agency Automation Guide**, a detailed manual on the use and application of computers in insurance. Also responsible for conceiving and actuating several research projects, including: Agency-Company Operations Study; Agency Operations Study; IIR Independent Agency Survey; and others.

Conceived, designed, developed and conducted surveys and studies for state and national insurance organizations, on both a state-wide and country-wide basis.

Served as consultant to large Property-Liability insurance companies on technical matters, agency automation planning, and insurance company personnel training and development. Redrafted the entire range of Commercial Underwriting Training Manuals for Crum & Forster/United States Insurance Groups.

Served as educational consultant to several insurance agency associations throughout the United States.

Served as and reappointed as agent representative to every New Jersey Commissioner of Insurance, its Producer Advisory and other similar Department committees from 1969 through 2005.

Served as consultant to several large insurance purchasers with unusual or unique exposures, with responsibility for monitoring their insurance programs, coverages, and costs.

Accepted and approved by the Professional Insurance Agents (National) as one of their Insurance Management Consultants in the areas of agency appraisal/valuation, office procedures/operations, Errors & Omissions, mergers & acquisitions, agency automation, agency perpetuation, personnel programs, and risk management.

Act as consultant/advisor/researcher for members of the New Jersey Legislature.

PUBLICATIONS

- Contributing Columnist, Insurance Advocate, New York, N.Y., March 1989 thru December 1991
- An Insurance Broker, The National Underwriter Printing & Publishing Co., Englewood, N.J., 126th Anniversary Issue, October 1985
- Keep Those E&O Claims Away, Best's Review, A. M. Best, Oldwick, N.J., September 1986
- Residual Automobile Market Alternatives Proposals, A Model Motor Vehicle Reinsurance Facility - National Association of Insurance Agents (now - IIAA)
- Position Paper on Medical Malpractice and Medical Malpractice Insurance, Independent Insurance Agents of America
- Position Papers on No-Fault Auto/Automobile Accident Reparations, Independent Insurance Agents of America
- Workers' Compensation Program For Action, Independent Insurance Agents of America

INDUSTRY AND CIVIC AWARDS (Partial List)

- Presidential Citation, Independent Insurance Agents of America, 1975
- "Insurance Man of the Year", Insurance Brokers Association of New Jersey, 1974
- Presidential Citation, Independent Insurance Agents of America, 1973
- "Insurance Man of the Year", Independent Insurance Agents of New Jersey, 1973
- "Outstanding Service" award, various local New Jersey insurance agents' associations, 1973
- "Mr. Chairman" award, American Association of Managing General Agents, 1972
- "Outstanding Civic Leaders of America" award, 1967
- "Man of the Year" award, Denville Junior Chamber of Commerce, 1964

EXPERT WITNESS ACTIVITIES

CASES/REPORTS IN:

Arizona
California
Colorado
Connecticut
Delaware
Georgia
Indiana
Iowa
Kansas
Kentucky
Maryland
Massachusetts
Missouri
New Jersey
New York
No. Carolina
Ohio
Pennsylvania
Puerto Rico
So. Carolina
Tennessee
Virginia
W. Virginia
Wisconsin

TESTIMONY
NEW JERSEY COUNTIES

Atlantic
Bergen
Burlington
Camden
Cape May
Cumberland
Essex
Gloucester
Hudson
Hunterdon
Mercer
Middlesex
Monmouth
Morris
Ocean
Passaic
Salem
Somerset
Sussex
Union
Warren

CONSULTING/EDUCATIONAL CLIENTELE

INSURANCE COMPANIES:

Crum & Forster Insurance Cos.
CIGNA Corporation
Reliance Insurance Cos.
Continental Insurance Cos.
Highland Mutual Insurance Co.
Moters Insurance Corp.
Heritage Mutual Insurance Co.
Frontier Insurance Co.
Prudential Property & Casualty Co.

INSURANCE AGENT STATE ASSNS:

Arizona	Minnesota
Arkansas	New Hampshire
Delaware	New Jersey
Dist. Of Columbia	Ohio
Indiana	Oklahoma
Iowa	Oregon
Maine	Pennsylvania
Maryland	Rhode Island
Massachusetts	Tennessee
Michigan	Virginia
	Wisconsin

CIVIC AND SOCIAL ACTIVITIES

- * Denville Chamber of Commerce
 - Member - 1959 -
 - President - 1964 - 1966
- * Kiwanis Club of Denville
 - Member - 1960 -
 - President - 1964 - 1966
- * Sports Car Club of America - 1957 - 1961
- * Foreign Car Club of America - 1960 - 1972
- * Jaguar Touring Club Member since 1969, Treasurer 2012
- * Jaguar Auto Group - Member since 2013 to Present, Vice-President
2016 to present
- * Jaguar Owner's Association / Jaguar Clubs of No. America -
member 1959 to present